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Through
The chairman DOS in Political Science,
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Respected Sir/Madam,

Sub: Submissions of Post-Doctoral fellow Project final report.

Regarding, above mentioned subject, Reference ID number F/PDFSS-2015-17-SC-KAR-11356, I, Dr. Nagaraju N, Post-doctoral Research Fellow (UGC) Post-Doctoral fellowship for SC/ST candidates 2016 – 17), University of Mysore would please to bring into your notice that has per UGC guidance for PDF. My topic is "Vendors and Urban Informal Sectors: A study of Street Vendors of Mysore City" is taken under the supervision of Prof. Dayananda Mane, Prof In Political Science and Public Administration, University of Mysore. I have published four more articles and submitted my report and the same as mailed to your mailed ID. And will be sending hard copies to the same of the corresponding address. I would like to bring to your notice that submitted copy of PDF final Project report. With article to University of Mysore. I am looking forward issuing completion certificate. Kindly do the needful.

Thanking YouYour Sincerely

Chairman

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Declaration

I, Dr. Nagaraju N, hereby declaring that the report entitled "Vendors and Urban Informal Sectors: A study of Street Vendors of Mysore City", Is submitted to the University of Mysore for awarding post-Doctoral award in Political Science is the result of research work done by above mentioned candidate In Political Science University of Mysore, Manasaganogothri Mysore.

I further declare that, the report has not been submitted by me for award of any other degree or Diploma in this or any other University.

Place: Mysore

Date: 02-11-2020

Signature of Post-Doctoral fellow

(Dr. Nagaraju N)

Signature of the Chairmen

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VENDORS AND URBAN INFORMAL SECTOR: A STUDY OF STREET VENDORS OF MYSORE CITY

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Vendors and Urban Informal Sector: A Study of Street Vendors of Mysore City

ABSTRACT

Street vendors play very important role in urban India by providing employment in informal sector and by improving their status. They sell different kinds of goods, which are manufactured in small scale or home based industries where large numbers of workers are employed. Vendors are thus not only a significant part of the informal sector but also an integral part of urban economy. However, studies reveal that street vendors face many problems regarding their social protection, working condition, credit accessibility, and their public space utilization. For most street vendors, trading from the pavements is full of uncertainties. They are constantly harassed by the authorities. The local bodies conduct eviction drives to clear the pavements of these encroachers and in most cases confiscate their goods. Besides much legislation, decision of the court policies like National Policy on Urban Street Vendors of 2004, 2009, 2014 and 2017. The Street Vendors (Protection Promotions of Livelihood) Bill 2007 and Street Vendors

(Protection of Livelihood and Regulation of Street Vendors) Bill 2009,2014 street vendor protection Act and street vendor protection and livelihood act 2017. The status of street vendors not improved upon a satisfactory level due to numerous reasons. And still large majority of the street venders left out under the broad purview of economic inclusion.

Against this background this research work is taken up with the following objectives; to highlight the socio-economic status of street vendors; to reveal the financial accessibility and occupational pattern of street vendors: to offer suitable policy prescriptions. The study has been conducted on Street Vendors spreading in Mysore City, Mysore district of Karnataka State. The study is based on both primary and secondary sources of data. A total of 100 street vendors, were selected for the study and interview has been conducted during the period from October to December 2017. The study suggests that Sustained and continuous efforts are needed to improve the education, health and employment conditions of the street vendors. There is also a need to introduce new products by the banks and financial institutions appropriate with the requirement of street vendors and effective policy implementation is needed.

Introduction

Street vendors are an integral component of urban economies around the world. As distributors of affordable goods and services, these workers provide consumers with convenient and accessible retail options and form a vital part of the social and economic life of a city. It is an important source of employment for a large number of urban poor as it requires low skills and small financial inputs. However, at the same time street vendors of India have poor social protection and their working conditions on the streets expose them to a variety of safety and health issues. Besides this they are often regarded as public nuisance and are accused of depriving pedestrians of their space, causing traffic jams etc. Apart from this the lack of recognition of the role of the street vendors culminates in a multitude of problems faced by them: obtaining license, insecurity of earnings, insecurity of place of hawking, gratifying officers and musclemen, constant eviction threat, fines by traffic policemen etc. Hence, for the inclusive development of street vendors there is need to create conducive atmosphere in the working place and their social, economic status should also be improved, so that they can lead a dignified

life. Hence study in this direction will be an urgent and needy one. Hence, the centre has taken up this study with an intension to draw the attention of the government towards the development of the status and condition of Street Vendors in Mysore city.

THE SUPREME COURT ORDER

The issues related to street vendors rights and privileges are not of a recent concern. It can be dated back to 1980s with matters like Bombay Hawkers Union v/s Bombay Municipal Corporation (1985) 3 Sec528, Sodan Singh v/s New Delhi Municipal Committee (1989) Sec 155, Gainda Ram v/s Municipal Corporation of Delhi (2010) 10 Sec715, one reason which has contributed to this scenario is that unlike other section of the urban population, the street vendors neither have the capacity and strength to demand that the Government should create job for them nor do they engage in begging, stealing or extortion. They try to live with dignity and self-respect by doing the work as street vendors or hawkers.

However, National Association of street vendors of India (NASVI), keep on struggling with the issues of the street vendors and never let it go and finally on 9th

September 2013, Hon'ble Justice G S Singhvi of Supreme Court of India passed 28 pages long judgment in the civil appeal no: 4156-4157 of 2002 titled, Maharashtra Ekhta Hawkers Union and other v/s Municipal Corporation, Greater Mumbai. The most important and relevant portion of the judgment was ''All the existing street vendors / hawkers operating across the country shall be allowed to operate till the exercise of regulation and creation of vending / hawking zones is completed in terms of the 2009 policy. Once that exercise is completed, they shall be entitled direction of the concerned Town Vending Committee ''. This judgment has given all the street vendors across the country a ray of hope that they are also considered as an important part of the society and their rights are also important with this judgment , Parliament has made Legislative Act of 2009, 2014 and 2017 in respect of street vendors protection and livelihood Act, these act are suggested to the respective state Government to enforce the street vendor act across the India and protect their rights and prevent the atrocities on street vendors.

HISTORY OF STREET VENDORS ACT IN INDIA

The bill aimed at providing social security and livelihood rights to street vendors, has its origin in the street vendor policy introduction in 2004, which was later revised as National Policy on Urban Street Vendors, in 2009, also the Ministry of Housing and Urban Poverty Alleviation circulated a draft of bill titled model street vendors (protection of Livelihood and Regulation of Street vending) Bill 2009, Hence all the state and union territory for creation of state legislation, However, it had no legal binding, Thus few Government made any progress in this regard. Eventually in 2010, The Supreme Court of India, which has recognized street vendors as a source of livelihood, directed ministry to work out on a central legislation, and a draft of same was unveiled to the public on 11 November 2011. The key point of the draft bill were, protection legitimate street vendors from harassment by police and civic authorities and demarcation of vending zones on the basis of ‘’Traditional National Market’’, proper representation of vendors and women in decision making bodies and establishment of effective grievance redresses and dispute resolution mechanism.

The bill was drafted with the help of the ‘’National Advisory Council’’ chaired by Sonia Gandhi, and approved by the Union Cabinet on 17th August 2012, after the cabinet approval it was introduced in the Loka Sabha on 6th September 2012 by the Union Minister of housing and urban poverty alleviation, Kumari Selja, amidst the uproar over the block in the house, the bill was passed on 6th September 2013 and by the Rajyasabha on 19th February 2014. The bill received the assent of the president of India and came to force, on this basis every state has enacted laws regarding protection of street vendors like badavara bandhu scheme one of the important policies implemented in Karnataka.

Chapter 2

VENDORS AND URBAN INFORMAL SECTOR: A STUDY OF STREET VENDORS OF MYSORE CITY

The Background:

The cities in India are projecting immense development with sky scrapers, fancy flyovers, massive shopping malls and multiplexes. However, what are co-existing are urban poverty, poverty of employment, poverty of shelter, poverty of basic necessities and poverty of access to basic infrastructure like housing, electricity, water, drainage sanitation etc. In India, most studies on poverty in particular and problems in general have been much centered on the rural areas and urban problems has received little attention of the policy makers. With the rapid growth of big cities, slums, the breeding grounds of urban squalor and urban problems, swell primarily due to increased migration of the poor from the villages in search of better employment opportunities and improved standard of living. Urban problems have become major social problem all over the globe in the present era of globalization and unequal economic

growth. Being a part of urban informal sector street venders also face several problems and it has become a serious matter of concern. An analysis relating to the socio-economic background of street venders will be of quite useful to understand several institutional factors that determine the status of this section. In this context the need of the hour is to discuss the problems of urban street vendors in-depth and give geographically compatible and divergent policy measure to bring urban poor into mainstream development.

Urban Informal Sector and Street Vendor:

As per the Census of India 2011, the total population of India was 1210.2 million. Of this, the rural population stands at 833.1 million and the urban population 377.1 million. In absolute numbers, the rural population has increased by 90.47 million and the urban population by 91.00 million in the last decade (GOI: 2011). These figures Show that urban population is increasing faster than increase in rural population. Besides this, India's urbanization challenge is compounded by the fact that 25.7 per cent of the total urban population still lives below the poverty line as defined officially by the Planning Commission based on survey data from the NSSO. Even though the urban

poverty ratio has declined by half over the 30-year period since 1973-74, there were still 80.8 million persons in urban India in 2004-05 who were officially defined as 'poor', increasing from 76.3 million in 199394 (GoI: 2011b).

Migration from the rural to urban area also adds to problem of urban problems. As the number of migrants increase, so do the index of poverty and other problems like unemployment, infrastructure problems, housing problems etc. The majority of the people are migrated from rural to urban areas with an intension to take care of their livelihood. The urban areas have all the specialty and job opportunities in these settings. Some skilled people try to get the white-collar job in the urban region. The literate and illiterate people have to make self-employment through various aspects including informal sectors. Though, the poor do manage to find some work, but it is either not regular or in the unregulated sector with no guarantee of minimum wages and number of working hours. The IIMS Data works Research Report states that 58 per cent of urban with low-income workers had no financial savings. Life insurance had penetrated only 19 per cent of low- income urban households. The gap in financial services in urban areas, though less than in rural areas, is huge. A number of finance

companies, a few urban cooperative societies and banks, as also several credit and savings mechanisms have been present in the urban areas, but, still, the level of exclusion has been high.

Studies also reveal that, despite various policies and programmes since independence, including recent policies like decentralization and giving more powers to urban local government bodies (ULBs) and launching of the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) in 2005, Swarna Jayanti Shahari Rozgar Yojana (Sjsry), Rajiv Awas Yojana, the situation of urban poor is still not improved up to a satisfactory level due to numerous reasons. Though, both rural and urban areas struggle with the poverty the picture of urban poverty is unique. Besides poverty, financial exclusion also became a constraint to the mainstream development urban poor. With the more rapid growth of the Indian economy in recent years, which is expected to continue, the rate of urbanization will increase and urban problems too.

It has been assumed that with high concentration of health facilities and services in the cities compared with rural areas, urban health problems are less. However, for the urban poor and those living in shanty towns, the level of access to health facilities fall below the minimum equitable level, where

primary health care facilities, their location, resources, quality and performance are poor, their links to deprived communities are inadequate and their utilization is low (WHO, 1992). Though all varieties of health services are available in our cities, not all sections of the community are benefited by these facilities. There exist wide gap in the utilization pattern of health services and health improvement in urban area. Health improvement is influenced by three factors (Nayar, 1999), a) health factors, which include medical intervention, b) health promoting factors such as housing, water supply, sanitation and hygiene. c) Non - health factors which include social and economic factors. Above all, the trends in urbanization are also responsible for the change in health status of urban population. As per the Urban Health Resource Centre (UHRC) India one in every ten children in slums do not live to see their fifth birthday and only 42 percent of slum children receive all the recommended vaccinations. Over half (56 percent) of child births take place at home in slums putting the life of both the mother and new born to serious risk. Poor sanitation conditions in slums contribute to the high burden of disease in slums. Two thirds of urban poor households do not have toilets and nearly 40 percent do not have piped water supply . Health system in

India is more focused towards the rural areas having an organizational structure right from grassroots to tertiary care and is managed by dedicated staff. However there is a huge deficiency of any such health care structure in the urban areas. In the era of globalization, the retail sector is the fast growing emerging sector after agriculture in India by providing employment. However, besides formal retail chain, small retailing including street vending has been one of the easiest ways to survive for working poor and is wide spread in the urban informal sector. According to National Policy on Urban Street Vendors, Department of Urban Employment and Poverty Alleviation "A Street Vendor is broadly defined as a person who offers goods or services for sale to the public without having a permanent built up structure but with a temporary static structure or mobile stall (head load)". Street vending has been prevalent in our country since ancient times. Though most of these small venders were local people there were also include those who came from far off places like Afghanistan, Tibet and even China. Today this section of the urban employed is perhaps the most visible in the urban informal economy. Street vendors may be stationary by occupying space on the pavements or other public/ private

areas, or may be mobile in the sense that they move from place to place carrying their wares on push carts or in cycle or baskets on their heads, or may sell their wares in moving bus etc.

There are 3 basic categories of street vendors (a) Stationary (B) Peripatetic and (C) Mobile.

(a) **Stationary vendors** are those who carry out vending on a regular basis at a specific location. Example: Those occupying space on the pavements or other public places and / or private areas either open/ covered with implicit or explicit consent of the authority. We can see stationary vendors in RMC market or Devaraja market and small markets in Mysore City.

(b) **Peripatetic vendors** are those who carry out vending on foot and sell their goods and services and include those who carry baskets on their head/ slung on their shoulders and those who sell their goods on pushcarts.

(c) **Mobile Street venders** are those who move from place to place vending their goods or mobile units on wheel.

There is a substantial increase in the number of street vendors in the major Asian cities. In India, the National Policy for Urban Street Vendors/Hawkers notes that street vendors

constitute approximately 2 per cent of the population of a metropolis. The total number of street vendors in the country is estimated at around 10 million (Bhowmik, 2005). Women constitute a large segment of their street vendors in almost every city in helping and supplementing their family income. Besides the employment context, street vendors also support urban rich and urban poor. Street vendors prop up urban rich to provide daily requirements as available on their doorsteps because some street vendors built up their profession in front of housing complexes (Tiwari, 2000). Street vending is not only a source of self-employment to the poor in cities and towns but also a means to provide "affordable" as well as 'convenient' services to a majority of the urban population (Mukhola, 2014). They try to solve their livelihood issues through their own meager financial resources.

Vendors are thus not only a significant part of the informal sector but also an integral part of urban economy. It is stated that a very low skill and capital investment is required to enter this trade. In comparison other trades it is easier to enter this trade for the poor migrants as well as lower income groups living in the city for some time. With the increase of the urban population one can see the growth of urban poor, which

constitutes the largest section of consumers for these street vendors, has led to an increase in the number in any given city (Ray and Assem Mishra, 2011)

Street vendors play very important role in urban India by providing employment and income and other aspects. They sell different kinds of goods such as clothes and hosiery, food items, vegetable, fruits, leather, molded plastic goods and different kinds of household necessary goods, which are manufactured in small scale or home based industries where large numbers of workers are employed. However, studies reveal that street vendors face many problems regarding their social protection, working condition, credit accessibility, and their public space utilization. For most street vendors, trading from the pavements is full of uncertainties. They are constantly harassed by the authorities. The local bodies conduct eviction drives to clear the pavements of these encroachers and in most cases confiscate their goods. A municipal raid is like a cat and mouse game with municipal workers chasing street vendors away while these people try to run away and hide from these marauders. Confiscation of their goods entails heavy fines for recovery (Bhowmik and And Debdulal Saha, 2012). Besides much legislation, decision of the court policies like National

Policy on Urban Street Vendors of 2004 and 2009, The Street Vendors (Protection Promotions of Livelihood) Bill 2007 and Street Vendors (Protection of Livelihood and Regulation of Street Vendors) Bill 2009, the status of street vendors not improved upon a satisfactory level due to numerous reasons. And still large majority of the street venders left out under the broad purview of economic Inclusion. Against this background this working paper is prepared with the following objectives

Objectives and Methodology of the study

1. To highlight the socio-economic status of street vendors;
2. To reveal the financial accessibility and occupational pattern of street vendors;
3. To offer suitable policy prescriptions.

The study has been conducted on Street Vendors spreading in Mysore City, Mysore district, Karnataka State. The study is based on both primary and secondary sources of data. The primary sources of data have been collected through structured interview schedule. A total of 120 street vendors, were selected for the study through simple random technique. In the study, care has been taken to interview street vendors who are in street vending since three or more than three years. Data were collected from the 120 street vendors during the period from June to December 2014. The secondary sources of data were

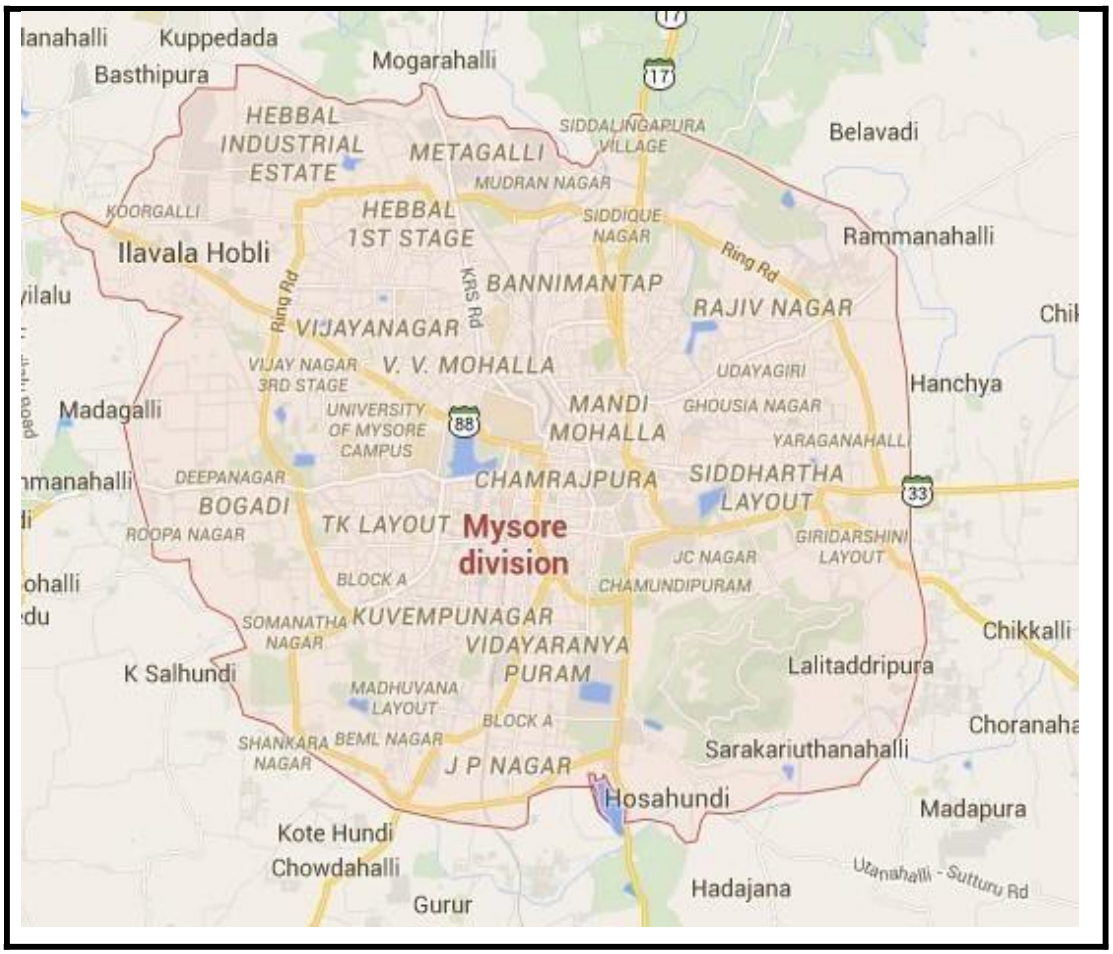
collected from available literature in books, journals, research reports, and other published materials related to the street vendors. The data were analyzed by using the simple percentage and average wherever appropriate. Since, the study is confined to 120 street vendors of one city of Mysore district in Karnataka and the results drawn from 120 members may not be generalized, as the primary data were collected based on the memory of the respondents.

Brief Profile of Mysore city

According to the Census of India 2011, Mysore district had population of 29, 94,744 of which male and female were 15, 11,206 and 14, 83,538 respectively. According to the Census of India 2011, the population of Mysore is 887,446 of which male and female are 493,813 and 493,633 respectively. Although Mysore city has population of 887,446; its urban / metropolitan population is 983,893 of which 493,692 are males and 490,201 are females. Mysore City Corporation is responsible for the civic administration of the city, which is also the headquarters of the Mysore district and the Mysore division. Urban growth and expansion is managed by the Mysore Urban Development Authority (MUDA), which is headed by a commissioner. As of 2011, the literacy rate of the

city is 86.84 per cent, which is higher than the state's average of 75.6 per cent (GoI, 2011). Approximately 19 percent of the population lives below the poverty line, and 9 percent live in slums (Kahuri, Searh Kabui, 2010)

Map 1: Mysore City Map



Source: mapsofindia.com

Mysore District is a popular tourist destination, offering several attractions ranging from the royal splendor of Mysore City and its fabulous Dasara Festival to exquisite temples, pilgrimage centres and scenic spots. Mysore is the second-largest city in the state of Karnataka. The city attracted about 3.15 million

tourists during 2010 and increasing year by year. Mysore has traditionally been home to industries such as weaving, sandalwood carving, bronze work and the production of lime and salt. In a survey conducted in 2001 by Business Today, Mysore was ranked the fifth-best city in India in which to conduct business (Business Today, 2001). All these factors play an important role in helping the unemployed persons, especially urban youths to undertake street vending as a profession.

RESULTS AND DISCUSSIONS:

The cities in India are projecting immense development with sky scrapers, fancy flyovers, massive shopping malls and multiplexes. However, what are co-existing are urban poverty, poverty of employment, poverty of shelter, poverty of basic necessities and poverty of access to basic infrastructure like housing, electricity, water, drainage sanitation etc. In India, most studies on poverty have been centered on the rural poor and urban poverty has received little attention of the policy makers. With the rapid growth of big cities, slums, the breeding grounds of urban squalor and poverty, swell primarily due to increased migration of the poor from the villages in search of better employment opportunities and improved standard of

living. Urban poverty has become major social problem all over the globe in the present era of globalization and unequal economic growth. Being apart of urban informal sector street venders also face several problems and it has become a serious matter of concern. An analysis relating to the socio-economic background of the sample members of street venders will be of quite useful to understand several institutional factors that determine the status of the respondents. In this section, an attempt has been made to sketch out brief background of the sample households of street vendors their housing condition, pattern of savings and borrowings, working conditions etc,.

I BASIC DETAILS:

Factors such as gender, education, age, Marital Status, and housing condition etc., greatly influence behavior of the person and his or her occupational placement as well as status in society. This is very much applicable to street vendors also.

Table 1: Demographic Profile of the Respondents

Particulars	Categories	Number	Percentage
Gender	Male	81	67.50
	Female	39	32.50
	Total	**120**	**100.0**
Religion	Hindu	68	56.67
	Muslim	43	35.83
	Christian	9	7.50
	Total	**120**	**100.0**

	Below 25 Years	9	7.50
	25-30 Years	19	15.83
	31-40 Years	43	35.83
	41-50 Years	31	25.83
	Above 50 Years	18	15.00
Age	**Total**	**120**	**100.0**
	Married	84	70.00
	Single	20	16.67
	Separated	8	6.67
	Widow/Widower	8	6.67
Marital Status	**Total**	**120**	**100.0**

Source: Primary Survey

The table 1 reveals that out of 120 respondents interviewed 81 respondents are male, where as 39 respondents are female. With respect to religion is concerned 56.67 percent of the members are belonged to Hindu Community where as 35.83 percent of the respondents are following Islam and rest of them are Christians. Data also reveals that

35.83 percent of the respondents belong to the age group of 31-40 years whereas 15.83 percent of the respondents belong to the age group of 25-30 years and only 7.50 percent of the respondents are below 25 years of age. Table also depicts that out of 120 members studied 70 percent of the respondents are married and 16.67 percent of the members are unmarried and little margin of 6.67 percent are separated. The table clearly shows that most of the respondents are male and are of young

age and the people of all community who are poor want to go as street vendor to earn their livelihood.

Housing Details:

Housing is one of the basic needs and right after the food and clothing for the human survival. It provides significant economic security and dignity in society to a person. The term housing is often understood as shelter. However, housing is more than a shelter. Man has moved from the need for shelter from the vagaries of climate and protecting the younger ones to more significant psychological needs [1] . The Universal Declaration of Human Rights declares that everyone has the right to standard of living adequate for the health and wellbeing of oneself and his family[2] . The International covenant on Economic, Social and Cultural rights lays down that state parties to the covenant should recognize that everyone has right to standard of living for himself and his family including food, clothing, housing, and to the continuous improvement of living conditions[3]. Based on the above the right to housing can be

[1] . Bayer, Housing and Society, Mc Millan, New York (1965)
[2] . Article 21(1) Universal Declaration of Human Rights
[3] . Ibid emphasis added.

defined as that right which enables people to live in a dignified and sustainable manner[3].

The Constitution of India envisages that it is the duty of the state to promote "welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic and political, shall inform all the institutions of national life[5]. The Hon'ble Supreme Court in *Francis Coralie v. Union Territory of Delhi*[4] deliberated that the right to life and personal liberty includes the right to live with the human dignity and all that goes with it, namely the bare necessities of life, such as adequate nutrition, clothing, shelter etc. in *Olga Tellis v. Bombay Municipal Corporation*[5] the Supreme Court of India conceded the right to dwell on pavement or in slums by the indingent and poor, and introduced the concept of right to housing (shelter) indirectly. And this has been further strengthen and confirmed by the Supreme Court in various other cases like *State of Karnataka v. Narasimhamurthy*[6] and in *Maha Gujarath Hawkars Vypar*

[3] . State of Indian consumer: Analysis of Implementation of United Nations Guidelines for consumer Protection in India, Published by Consumer Unity and Trust, Jaipur. (1985) [5] . Article 38 (1) of Indian Constitution.

[4] . AIR 1981 SC 746

[5] . AIR 1986 SC 180

[6] . (1995) 3 SCC 524

Mahajan etc v. Ahemedabad Municipal corporation[7] that the mandate of human right to shelter and read in to article 19(1)(e)[8] and Article 21[9] of the

Indian Constitution. The same expression was also made by the Hon'ble Supreme Court in *Chameli Singh v. state of U.P*[12]. at present the Government of India through various programmes providing the housing facilities to the poor. But how best these programmes reach the needy is the basic question to be addressed.

Proper housing exerts a profound influence on people's health and develops character among them. Further, housing protects the privacy of an individual and individual family. Table 2 provides the data on the current housing type and ownership of sample respondents' i.e street vendors. According to the study a large section of vendors that is 54.17 percent live in Katcha type of houses with one or two room tenements. This indicates that space is a major problem for their living. As mentioned earlier, most of them store their goods (which is to be sold) at

[7] . SLP No. 47-51 of 1996 Sup.Sourt

[8] . Article 19 (1) (e) of Indian constitution says "all citizen shall have the right to reside and settle in any part of the territory of India".

[9] . Article 21 of the Indian Constitution says "Protection of life and personal liberty". No person shall be deprived of his personal liberty except according to procedure established by law. [12] . (1996) 2 SCC 549

home; this means that the space is further reduced. Data also reveals that 24.17 percent of the respondents are living in semi pucca type of house. And only 21.67 percent of the respondents are living in Pucca type of house. The Pucca housing which implies that the houses are made of cement and concrete and there is a permanent roof over the head. The Kuccha houses are shelters with tin walls or walls constructed with discarded cardboard pieces. The roofs could be of temporary material such as tarpaulin or of a more permanent nature. These roofs often fly due to heavy rain followed by wind. These types of houses often do not have easy access to drinking water. This becomes an additional burden on the street vendor who has to get his/her supply of water from the nearest source. Besides this, Safety also is another problem. Since, there are temporary structures, usually thieves or burglars can easily enter inside with ease and carry away the goods stored. Sanitation facilities are almost always unavailable and open defecation is quite common. This leads to an unhealthy environment and spread of disease such as hookworm.

Table 2: Housing Details

Type of Houses	Number	Percentage
Katcha	65	54.17
Semi Pucca	29	24.17

Pucca	26	21.67
Total	**120**	**100.0**
House Ownership		
Own	29	24.17
Rent	73	60.83
No house	18	15.00
Total	**120**	**100.0**

Source: Primary Survey

House Ownership is a right over the property recognized, guaranteed and protected by the state for the exclusion all other. It is a dream of every individual to own a house of his own. It may be small or big. It is one of the important components of right to live with dignity. As a part of house ownership is concerned 24.17 percent of them are living in their own house. 60.83 percent are living in rented houses. However, Percent of the respondents don't have any house and they sleep in footpaths and many times in bus stands and bus shelters**.** Some street vendors opines that, earlier, our father and fore fathers usually sleep in the nearby the temple. Now those temples are locked during the night taking away our privilege to sleep.

Drinking water and sanitation

Health is one of the vital indicators reflecting the quality of human life. It is a basic need along with food, shelter and education and is a precondition for productivity and growth. That there is a positive correlation between the health status of

people and the development of the individual is a well-established fact.

Water is a very complicated vitally important substance. It is the medium which gives birth to the first primitive living molecules and without it no life can exist. Throughout the history, the quality and quantity of water available to man have been vital factors in ascertaining his wellbeing. Water is never 'pure' in a chemical sense. The United Nations guidelines for Consumer protection 1985 addressed the issue of drinking water though not sanitation. However, both the water and sanitation are interlinked, and therefore have to be considered together. The United Nations General Assembly adopted a resolution on 28th July 2010 introduced by Bolivia on the Human right to access to clean water and sanitation. The

Key provisions of the resolutions are as follows;

a. Declares the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.

b. Calls upon the states and international organizations to provide financial resources, capacity building and technology transfer, through international assistance and cooperation, in particular to developing countries, in order to scale up efforts to provide safe, clean, accessible and affordable drinking water and sanitation for all.

Owing to various international conventions and constitutional obligations the Supreme Court in *Subhash kumar v. State of Bihar*[10] observed that right to life is a fundamental right … and it includes the right to enjoyment of pollution free water and air. In addition to these interpretations, Article 39(a) of Indian Constitution states that the citizen men and women equally, have the right to adequate means of livelihood.

Sanitation is a cornerstone of public health. Improved sanitation contributes enormously to human health and well-being. Besides, it also protects the privacy of the people. Sanitation is an acute problem in areas in habited by sanitation workers. Drinking water and sanitation facilities are very important and crucial for achieving the goal of "*Health for All*". Health for all is a programming goal of the World Health Organization (WHO), which envisions securing the health and wellbeing of people

Around the world that has been popularized since the 1970s. It is the basis for the World Health Organization's primary health care strategy to promote health, human dignity, and enhanced quality of life. Safe drinking water supply and basic sanitation

[10] . AIR 1991 SC 420

are so intrinsically linked to human and ecosystem health that they, along with proper hygiene form the most essential components of a safe and healthy life. Scientist opine that majority of the diseases in our country is water borne diseases. Table No. 3 provides the glimpses of the opinions of the respondent in respect of drinking water and sanitation. In the places where Street Vendors are residing, the drinking water facilities are concerned 86.67 percent of the respondents were depending on public tap and 13.33 percent of them were using bore well water. As far as sanitation is concerned 52.50 percent of respondents have individual toilet and 35.00 percent are using community toilet. However, 11.67 percent are using open field. The household ecology of some area is pathetic. This problem of these vendors is to be identified by the corporation voluntarily and provide such facilities to them. Even in a place where more street vendors are selling their goods under stationary vendors the toilet facilities are not available. This is the basic facility that the corporation is expected to provide.

Table 3: Drinking Water and Sanitation

Source of Drinking Water	**Number**	**Percentage**
Private/Public tap	104	86.67

Bore well	16	13.33
Total	**120**	**100.0**
Sanitation		
Individual Toilet	64	52.50
Community	42	35.00
No Toilet	14	11.67
Total	**120**	**100.0**

Source: Primary Survey

Educational Level:

It is the duty of the state to make provision for the free and compulsory education for children[11] as the state today is like a complete guardian to every citizen. Fortunately the Parliament through 86th amendment act, 2002 made free and compulsory education up to the age of 14 years by adding new article 21 A to Part III of Indian Constitution[12].

The right to education has been recognized since the Universal Declaration of Human Rights (UDHR) in 1948. Article 26 of the Declaration proclaims that: "everyone has the right to education". Education shall be free, at least in the elementary and fundamental stages.

[11] . See Article 15 of Indian Constitution

[12] . Article 21 A Constitution of India: Right to Education:- the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the state may, by law determine. However, the Act came into effect from 2012.

Elementary education is compulsory…. Education shall be directed to the full development of human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among racial or religious groups. The right to education has been enshrined in a range of international conventions, including, the international covenant on the Elimination of All forms of Discrimination Against Women (CEDAW, 1979) Educational background of the sample household is very important to describe as the bulk of their access to market, employment, credit, institutions, etc., is mainly dependent on the level of educational attainment by the members of the sample households. It is an essential element of human resource development as it improves the knowledge and develops required skill base among the individuals. Regarding the educational status is concerned the table No 4 shows that 23.33 percent of respondents were studied up to third standard. About 24.17 percent of respondents studied in between 4^{th} and 7th standard. 9.17 percent of respondents studied in between 8th standard and 10^{th} standard and only 7.50 percent of the street vendors studied up to 10^{th} and above. The interesting fact is that 35.83 percent of the respondents are

illiterate and despite being illiterate they are conducting their business that includes maintaining accounts having an inventory of goods bought and sold. The respondents opine that they did not give up Education voluntarily, it is the extreme poverty and responsibility to feed a family that has compelled and made them to give up the education and take up vending.

Table 4: Education Level

Educational Level	**Number**	**Percentage**
Illiterate	43	35.83
1-3	28	23.33
4-7	29	24.17
8-10	11	9.17
10 and Above	9	7.50
Total	**120**	**100.0**

Source: Primary Survey

Most of the age old street vendors are illiterate, and younger street vendors have studied up to pre-university. It is learnt that majority of the street vendors are drop outs. The reason for the drop out is obvious that they are economically poor. Due to poor literacy level, they are not much aware about the developmental programmes under taken by the State as well as the Central governments, for their better living. What is most

tragic thing is that many governmental programmes like Marali baa shalege (come back to school, for drop out children) and Adult education Programmes have not reached these street vendors neither they demand for it.

Chapter 3

OCCUPATIONAL PATTERN OF THE STREET VENDORS

Reasons for Choosing Vending as Profession

Street vending is a tiresome job which is also full of hassles and, above all, harassment by the rowdies and street lords. This requires braving the sun, cold waves and rains; standing long hours without rest, surviving the dirt, filth and stench of unclean (in many areas) streets. One wonders what leads people to choose street vending as a profession. While interviewing street vendors we came across the following as major reasons/findings for choosing vending. Huge security deposit, advance rent (up to a year), high rent, infrastructure cost, incubation period before the income starts accruing, credit. Worthiness, legal and contractual paper work, etc, make it beyond their means. That means these things are not necessary. Hence they opt for street vending where no such huge capital investment is needed. These are some of the reasons for the street vending as a profession. **Table 1: Reasons for Choosing Vending as a Profession**

Reasons	Number	Percentage

Requires Less Skill and Education	36	30.0
Requires low investment	19	15.83
More Freedom	14	11.67
No Other Job	9	7.50
More Profit	8	6.67
We Can do as Part Time	24	20.00
Total	**120**	**100**

Source: Primary Survey

Data in Table No.5 reveals that 30.0 percent of the respondents opine that street vending profession requires less skill and less education hence they have chosen this job and 15.83 percent of the respondents opine that it requires low investment. Besides that,

20.00 percent of respondents opine that they can do street vending as part time job and this is a source of additional income for the family. Many migrants have taken up vending as the only means of earning a livelihood because it offered easy entry into the market. Vending is an independent way of earning a livelihood. Most of the vendors liked to be self-employed rather than work under other people for low wages. Many of those who have lost their jobs in the private sector due to closure of factories or retrenchment also took up vending. A

large section of street vendors in Mysore city are those with low skills and who have migrated from rural areas and even some of them are from outside the states like Bihar and Uttar Pradesh to Mysore in search of employment. Most of time these people take street vending when they do not find other means of livelihood. Though the income in this profession is low, the investment is too low and the people do not require special skills or training. Hence, for these men and women street vending is the easiest form and way for earning their livelihood.

Type of Occupations

The items sold by vendors consist of a variety of goods. The non-perishable items include clothes, metal utensils, plastic goods, and leather goods etc. The perishable goods include vegetables, fruits, flowers, fish and cooked food. The preference of the vendors was for selling the perishable food items. They do so because the prices of these items are less compared to non-perishable items such as household and electronic goods and they also constitute mass consumption goods. Table No. 6 reveals the type of occupations of the street vendors interviewed. It shows that 30 percent of them are vegetable/Flower vendors and about 23.33 percent of them were engaged in sale of Fruit and cut fruit and 25.83 percent of

them were selling food and fast food. And 20.83 percent of respondents are engaged in selling Garments and electronics goods. The data shows that in all India Level some cities have a greater proportion of vendors selling perishable goods. The fruit vendors are in a better position than the vegetable vendors. The cost of fruits is higher than that of vegetables and it requires little higher investments, at the same time the profit margin of fruit vendors is also quite high.

Table 2: Type of Occupations

Type of Occupation	Number	Percentage
Vegetables / Flower	36	30.00
Fruit/Cut Fruit	28	23.33
Food/Fast wood	31	25.83
Garments/ Electronics Goods	25	20.83
Total	**120**	**100.0**

Source: Primary Survey

Seasonal Nature of Business:

The term *seasonal means* "at the right moment" i.e. what is available at the right movement that can be sold. Many fruits are seasoned in nature in our country. For example, Mango, Jackfruits, watermelons apple, ground nuts, etc are all seasoned. Many street vendors automatically become seasonal vendors depending upon the availability of the fruits or

vegetable at that time. For example, if a street vendor cut the water melon sold it to the customer he may likely to get better profits. The table No. 7 explains the seasonal nature of the business of the street vendors in the present study. Data reveals that 63.33 per cent of street vendors are doing it as a permanent business and the remaining 36.67 per cent are doing their business on seasonal basis. It reveals that most of the studied respondents are engaged permanently in street vending and it is their only source of livelihood. Their business is subjected to the vagaries of climate and seasons. This makes them so vulnerable and poor.

Table 3: Seasonal Nature of Business

Occupation	Number	Percentage
Main	76	63.33
Subsidiary	44	36.67
Total	120	100.0

Source: Primary Survey

My Father was a Vendor Too

"For the past 30 years I have been selling these food items at the same location. My father was also a vendor and he sold the same thing and at the same location. I have studied up to 5th standard. My father died when I was 14 years old. My elder brother had already learnt vending. After my father's

death, I too joined him (elder brother) to help the family. Later, my brother got separated and is doing the same business at different location. Now my son, who is 24 years old, is also in the vending business, though he sells different products. He helps me in purchase and transportation of food items from the wholesale market and also in spreading them for display in the morning." **An Elderly vendor, near Devaraja Market**

Working hours:

The working conditions of the street vendors of the Mysore city show that almost all who involved in the activity at least for 5 to 6 days in the week. Few of them work Even in weekends. They sell their goods during most of the day or in the morning and evening. The activity is its peak in the evenings as most of the office goers would like to buy goods while returning home. However, some venders spend around 8 to 10 hours every day (including time spent on procuring the goods). In some cases they spend 12 hours or more. However, this does not include another important aspect, namely cleaning of goods before displaying them up for sale. In the case of vegetables, this exercise is extremely important as very few

clients would prefer to buy unwashed vegetables. Hence, the number of working hours increases because the cleaning time ranges from one to four hours a day. They employ helpers on paid basis is very rare, however around 14 percent of the hawkers are assisted by their family members alone. In Mysore, there are two APMC markets and one is unofficial but recognized market on Mahatma Gandhi Road

i.e beside the exhibition ground. In these places, goods like fruits, vegetables are available for the street vendors at whole sale rates. Usually street vendors either purchase the goods directly from the farmers or from the dalals. The other one is APMC at Bandi palya. For other goods they go to *Santhe pet* and other places to purchase the things at whole sale rates. Usually, these street vendors go to APMC, Mahatma Gandhi road, before 4 o clock in the early morning to purchase the goods and then disburse to the different places for the purpose of selling.

Storage of goods

Based upon the study conducted by us, area vendors do not stay at the place where they conduct their business. At least some amount of traveling is involved for each vendor. Storage facilities for unsold or new goods are always been a major

problem for the street vendors. Finding space at their place of work is very difficult. There are two ways of storing the unsold goods; they are at home, at the workplace or at a shop/go down. Some vendors find this convenient because it is close to the place of work as well as secure goods if kept in an insecure place are liable to be stolen or damaged. This problem is being faced by most street vendors in all the cities. This is because the local authorities refuse to provide them with any storage facilities. As mentioned earlier, street vendors are regarded as illegal entities that encroach on public space. We found that only 39 percent of the vendors store their goods at home whereas 61 percent of the respondents keep it at the vending place. This is feasible for the stationary vendors as they are very particular about the space from which they are selling the goods. If the space fell vacant, over a night another may come and occupy the same place. Hence, preserving that place of selling is very important task for stationary vendors.

I Pay Rs.20 everyday for Storage

Mine is a family of more than 8. We live in a temporary shelter on rent. It has only one room, but we just manage to live somehow! What option do we have? The male members

leave home in the morning and come back late in the night. They sleep outside the house. Only women and children sleep inside the house. Where is the space to keep unsold items inside the room? So I keep them in a godown and pay Rs.20/- everyday. If I had a proper house I would have saved this money (rent) too.

A vendor, near clock tower.

Status of Women Street Vendors:

Women specifically face much more disastrous situations compared to men. As they are the home makers and have the customary duty to feed their family, their day starts early in the morning with household work and then their struggle for earning the livelihood begins. In this storming life, they have to face specific challenges such as difficulty related to deal with male dominated world at workplace owing to the indirect threat they are considered as socially subjugated category. They have often been teased, abused or sometimes beaten by their male counterparts at the vending location, many times just to show the superiority of man over women. It has been noticed that the attitude of police officials is a bit softer towards women vendors especially towards those who sell less and are in most miserable conditions of all. Also women vendors have to fight

for their rights at every place, in order to fulfill the responsibility of a care taker for their children they usually bring them to vending place which means diversion of attention, resulting in less sales, lesser incomes, lower standard of living and consequent lesser chances to combat these circumstances in future. Other major observation made that women vendors are in very less number when selling the cooked food is considered, which is supposed to be a better earning opportunity in the vending profession, but also demands a high level of capital investment and requires more labour. This observation could be concluded as in women have lesser money to invest; also the better earning sector within street vending are dominated by male vendors leaving them more vulnerable to the adverse conditions than a male counterpart. The earning of a women vendor is observed to be lesser than a male vendor; also major part of her income is devoted to her family needs. This could mean that they work harder than a male but due to the fact that they have less control over their earnings, they have lesser chances to overcome to vicious circle of debt and poverty.

Impact of Street Vending on the Respondents

Study reveals that most of the respondents (52.50 percent) have benefited after being the street vendor. While, 19.17 percent of the respondents opine that they have benefited fairly due to street vending. However, 28.33 percent of the respondents opined that they are not benefited after becoming the street vendors. They are mainly benefited economically. Study also reveals that, only 62 percent of the respondents are satisfied with this job that means around 38 percent of the respondents are not happy with this job. Further some of them (16 percent) are eager to change the occupation, However, they are not so educated and don't know other skills. Hence they are forced to continue as street vendors.

Table 4: Benefited After becoming street vendors

Opinion	Number	Percentage
Yes	63	52.50
No	34	28.33
Fair	23	19.17
Total	120	100.0

Source: Primary Survey

ECONOMIC CONDITION OF THE STREET VENDORS

Vending is a business, which demands capital investment and returns are equally proportionate to the capital invested, however, majority of vendors land up in this business due to the flexibility of capital needed for vending. Thus income is also less for most of the vendors. In some cases when people don't have money to invest they tend to take goods on credit and get engulfed in vicious circle of debt as their income is entirely spent to repay the debt or to expand their vending enterprise. In short, we can say that vending activity gives vendors, an opportunity to survive but survival is really costing them their lives.

Economic conditions of the most of the street vendors in Mysore city are in miserable conditions. They earn enough to satisfy their hunger, however, less to save anything for their future. It came in to notice that most of the vendors have large families (number of dependents) to feed and save nothing or very less. The uncertainty of income due to the frequent removal/evacuation of markets make their life more miserable, this also affects majorly to those who vend in weekly markets and removal of market for once means loss of income for the whole week.

Level of Income:

Report on Conditions of Work and Promotion of Livelihoods in the Unorganized Sector, 2007 of the National Commission for Enterprises in the unorganized Sector (NCEUS), suggest that the vendors' earnings are very low although they vary from trade to trade and from location to location (GoI, 2009). The earning of street vendors depends on the products they sell, and it varies from trade to trade, location to location, the volume of trade and terms of trade. It is seen that there are few, whose income is quite high according to their business types, age of the business, location and product they sell. Interestingly, it is noticed from the data that income of garment vendors, vendors those who are selling fruits and food items deviates from vegetable vendors and small enterprises. But the profit margin of the vendors those who sell perishable goods like, vegetable, fruit, food is quite impressive than others category of vendors. These vendors earn about 30 to 400 percent profit of their daily sales. In fact, if these vendors have given the storage facilities by the authorities/by government, definitely their income will be increased to the maximum extent.

The respondents have been classified into different groups based on their daily income. The income is calculated after

deducting their expenditure incurred on payment of rent for storage of unsold material, transportation of goods from the wholesale market etc. Table 9 below reveals the daily income level of the respondents. In the study area most of the women vendors are vegetable vendors because this occupation requires very low investment as well as low skill as compared to other activities like food vending. Data shows that 3.3 percent, of street vendors earn less than Rs 200/day and 65 percent vendors' daily income is between Rs. 200-300 while 20 percent vendors' daily income fall into Rs 301-400 and only 11.67 percent of them earn a daily income more than 400 and so on. Generally earnings of mobile vendors are less than static vendors because they enter into the market with less quantity of goods. Vendors selling perishable goods like vegetable, fruits and fish also earn less than those who dealing in industrial goods like garments, plastic items etc and Vendors selling fruit juice and fruit salad. Another factor influencing daily income is the location of street vending. Certain areas have more buyers than other. Some vendors, particularly women, work for shorter duration resulting in less income. The income of street vendors fluctuates .i.e., some days they earn more and some days they may not.

Table 5: **Daily Income (in Rs)**

Daily Income	Number	Percentage
<200	4	3.33
200-300	78	65.00
301-400	24	20.00
400>	14	11.67
Total	**120**	**100.0**

Source: Primary Survey

The researchers have asked the respondents that "Is your income enough? About 60.83 percent of them replied 'No' and about 15.83 percent of them replied fair.

However, 23.33 percent of the respondents said "yes". The data reveals that most of the respondents face financial problem since their earning is not sufficient for them for family maintenance. They opine that it is very difficult to live with this meager income as life cost in a city like Mysore is very high. Due to illiteracy most of them lack skill and are unable to do other job.

Table 6: Does your income enough?

Income	Number	Percentage
Yes	28	23.33

No	73	60.83
Fair	19	15.83
Total	**120**	**100.0**

Source: Primary Survey

Access to finance

Access to finance, especially by the poor and vulnerable groups is a prerequisite for employment, economic growth, poverty reduction and social cohesion. Further, access to finance will empower the vulnerable groups by giving them an opportunity to have a bank account, to save and invest, to insure their homes or to partake of credit, thereby facilitating them to break the chain of poverty (NABARD, 2008). However, in spite of a large network of the institutional credit system, it has not been able to penetrate adequately the informal rural financial markets and the non-institutional sources continue to play a dominant role in purveying the credit needs of the people residing in rural as well as urban areas. Thus, important challenge facing the banking sector is to extend financial services to all sections of the society.

Individuals having a bank account are the first step of financial inclusion and the researcher have posed the question to the respondents about the bank account and the result was surprisingly alarming. Data reveals that out of 120 street

venders surveyed only 30 of the respondents have formal bank account and rest of them transact with the other informal banking systems like, informal chit fund, money lender, friends, pawn brokers etc. It clearly shows that though government has introduced many policy measures to include large section of poor including unorganized sector workers like street vendors under financial inclusion the result is not worth mentioning. The government had given clear directions to banks to make arrangements to open no- frills account to groups like street vendors; however, in Mysore city most of the street venders have not utilized this facility in large scale.

Table 7: Bank Account

Bank Account	**Number**	**Percentage**
Yes	36	30.00
No	84	70.00
Total	**120**	**100.0**

Source: Primary Survey

Saving Details:

Saving is a process of reduction or lessening of expenditure for future; saving is an income not spent or deferred consumption; saving also includes reducing expenditure, such recurring

costs. It is one of the important yardsticks of economic inclusion. Even though there are many banking facilities are available due to lack of awareness, most of the street vendors do not really save. Due to lack of time and lack of awareness, the street vendors especially women do not really save, unless they are properly motivated and ensured some future returns/credit to overcome unexpected expenses. Same is the case of street venders. Data reveals that only 11.67 percent of total street vendors manage by saving in banks and 5.83 percent in post offices. Whereas 40.00 percent vendors they manage their social protection by saving in informal chit funds and 19.17 percent of respondents are saving in Self Help groups. However, interesting fact is that 18.33 percent of respondents are not saving any money in any sources whether it is formal or informal. It is because of lack of time and unnecessary procedure; they hesitate to move to a formal sector for the purpose of savings. Some street vendors opined that many a times they have been deceived/duped by the illegal chit funds (doing the chit fund business without license from the government). It is so because such chit fund agencies offer service at their door step and very easily accessible. Hence, it

is the need of the hour for all of us to create awareness about fair/wise savings in formal financial agencies only.

Table 8: Sources of Saving

Sources of saving	Number	Percentage
Bank/ Pigmy	14	11.67
Post Office	7	5.83
Chit Fund	48	40.00
SHG	23	19.17
Others	6	5.00
No Saving	22	18.33
Total	**120**	**100.0**

Source: Primary Survey

Data also reveals that out of 120 respondents 98 percent of the members are saving in one or other sources. However, their saving limit per month is not so encouraging. Data shows that 57 percent of the respondents hardly save 500-1000 per month where as 19 percent are saving 1000-1300 and only 6 percent of the street vendors are saving above 1300 per month. **Reason for saving**

The study reveals that among the street vendors most of their earnings is spent for consumption purpose and social customs like, house warming ceremony, marriage, festivals

naming ceremony etc. Table 13 depicts that about 34.69 percent of respondents save money for emergency purpose; where as 18.17 percent of people save money for the purpose of family maintenance including health and education 12.24 of people save money for the purpose of marriage of their children.

Table 9: Reason to Save

Reasons	**Number**	**Percentage**
Emergency	34	34.69
Marriage	12	12.24
For Future	26	26.53
Family Maintenance	18	18.37
Other Purpose	8	8.16
Total	**98**	**100.0**

Source: Primary Survey

Self Help Groups and Street Vendors

Studies reveal that one of the potential benefits of SHG membership is that it allows members to put aside some money regularly in a form which is fairly illiquid (money generally cannot be taken out from group savings without leaving the group). Hence, it can be said that regular saving behavior of SHG members both in SHG and other sources like bank, post offices have made SHG's as a catalyst of financial inclusion.

Data reveals that out of 39 female respondents 23 respondents are the member of Self-help groups. However, they opine that due to lack of time, most of time they do not able to attend to the SHG meetings. Their regular amount of saving ranges from Rs. 10/- to Rs.25/- weekly and most of them don't get the opportunity to save in other formal sources and borrows money from SHGs. Data reveals that main reason for joining SHG is to get loan or credit and not to save money. Some of the women street vendors thinking to withdraw membership form the SHG due to non-availability of time to attend regular meetings of SHG. However, all the street vendors who have become the members of SHG have availed loan from the SHG's.

Purpose of Borrowing

Poverty is immediate available and number one enemy of the poor people. It is because, now a day the cost of the life in all sphere may be in price of house hold things, education, etc., have gone up considerably and nothing is within our reach. Consequently monetary problem is compounded by the fact that the street vendors have scarce resources for their trade and for other purpose street vendors need to obtain credit by borrowing. Most of the street vendors report having borrowed from money lenders who charge exorbitant interest rates (GoI,

2009). Hence, the instances of poverty that is haunting the street vendors compelled them to borrow money from various sources. As far as finance for their business is concerned, the street vendors depend their own saving. As mentioned earlier, the alternative sources of funding carry- high rates of interest, which often ruin the vendors, they live from hand to mouth and not able to alleviate themselves from poverty. The most frequent and immediate available source is money lenders. Women vendors are in very less number while selling the cooked food is considered, which is supposed to be a better earning opportunity in the vending profession, but, also demand a high level of capital investment. Hence, very often they borrow money from moneylender which is an only option for them. The indebtedness among the street vendors shows that most of them are leading their life only with borrowing. They are continuously borrowing money from individual money lenders. They are not able to come out of the clutches of money lenders and indigenous bankers. They are debt ridden and reeling under debt trap. The rate of interest charged by the money lenders and indigenous bankers is exorbitant. The rate of interest ranges from 30 per cent to 50 percent sometimes, which is very high compared to the rate of interest charged by

commercial banks which is hovering around 10 per cent to 16 per cent. The high rate of interest makes the respondents debt ridden.

Table 10: Purpose of Borrow (Major Reason)

Purpose	Number	Percentage
Business	**46**	**44.20**
Health	**7**	**6.70**
Emergency	**22**	**21.20**
Marriage / Social Function	**9**	**8.70**
Family Maintenance	**15**	**14.40**
Children Education	**5**	**4.80**
Total	**104**	**100**

Source: Primary Survey

the table No. see that about of the According to 12 we could 18.33 percent respondents do not save in any sources, however about 81.67 percent of people have the habit of borrowing money for many reason like purchasing products to sell, emergency, social function and family maintenance. Hence, it shows that though most of them borrow money but they do not have the habit of saving. It is revealed from this present study

that the purpose of borrowing is not only for their economic activities but they also borrow for their social security purposes. Thus, this section has pointed out that street vendors fall into debt trap due to high indebtedness. Table 14 reveals that 44.20 percent borrow money for their business and daily investments where as 21.20 percent of the respondents are availing loan for the emergency purposes. While, 14.40 percent of the respondents borrow money for family maintenance 4.8 percent of street vendors borrow money for children's education purpose. **Sources of Loan:**

Capital is needed for initiating the business and, later, for running and expanding it. There are various kinds of sources. Six types of capital sources have been identified for the purpose of study for street vendors, including: (1) Relatives, (2). Friends (3). Local vendors or Traders (4.) Money lenders (5) Wholesalers (6) Banks or Co-operatives. The first two sources (relative and friends) are primarily used for getting a business started, while the all the rest are used for keeping it running or for expanding the business activity (Debdulal Saha, 2011). The source of the capital plays an important role with regard to the financial accessibility enjoyed by the street vendors. It depends on the types of suppliers and the volumes of their trade. Access

to capital is an economic linkage that ties street trade to the economy which affects the vendors' economic activities, profits, and potential business growth. The table 14 reveals that only 7.70 of the respondents borrow money from formal sources like, post offices, banks, co-operatives etc., and during emergencies they too depend on money lenders for loan. About 15.20 percent of the respondents avail loan from SHG. Further 6.70 percent of the respondents avail loan from other sources like traders, pawn brokers, wholesalers etc and 26.90 percent of the respondents depend on their friends and relatives for financial help. Most interesting fact is that 43.20 percent of the respondents depend upon moneylenders for the loan and they Sometime charge exorbitant rate of interest around 3-10 percent per month. It is found that street vendors take the money on daily basis. Furthermore, some of the vendors are paying rate of interest on their indebtedness since 2-3 years who borrowed for their social protection purposes.

Data also reveals that there are many reasons for borrowing money from the moneylender like easy procedure, timely availability and another main reason that is one can get money in small amount also without any collateral. The data reveal that most of the respondents not paid their loan installments

since many months to banks and also to money lenders since many weeks. The reasons for not paying the loan are varies from one respondent to other respondents, like, unspecified commitments, ill health, low business, Lack of Market for Product they are selling etc.

Table 11: Sources of Loan (borrowing money)

Sources of Borrowing	Number	Percentage
Bank, Post Office, Co-Operative	8	7.70
Money Lender	45	43.30
Friends and Relatives	28	26.90
SHG	16	15.20
Others	7	6.70
Total	**104**	**100**

Source: Primary Survey

Access to Insurance/Micro insurance

The term insurance means “a contract (policy) in which an individual or entity receives financial protection or reimbursement against losses from an insurance company.

The company pools clients' risks to make payments more affordable for the insured". It is very interesting to note that even though 100 percent of them are knowledgeable about some insurance scheme but only 19.17 percent of them have taken some kind of insurance policies. They opine that their income is too low and they find it difficult to get Insurance policies. Also they are unable to pay the premiums. Another main reason for not having insurance is unable to meet the ID proof formalities of financial institutions. Because some of them are migrants and they have no permanent residence in the city.

Table 12: Persons Having Some Kind of Insurance

Insurance	Number	Percentage
Yes	23	19.17
No	97	80.83
Total	**120**	**100**

Source: Primary Survey

Street Vendors Association

The Mysore District Street Vendors Association (MSDVA) was started in 2010 and it is located near Vanivilasa Market Building, KR Mohalla, and Mysore. The association is associated with the National Association of Street Vendors of

India (NASVI). There are two bodies in Mysore District Street Vendors' Association they are, Association and Cooperative Society. For becoming members of the association every member has to pay Rs 200, the interest amount is being used by the association to help the association members in times of problems. Till February 2014 there were 1600 members in the association.

Every month, a Town Vending Committee (TVC) meeting was takes place in the presence of Police Commissioner and Deputy Commissioner and the problems of the street vendors discussed in it. Food license has to be taken only by those who sell food items – fruits, vegetable, eatables etc. The fee has to be paid to the MCC, i.e., to the Mysore City

Corporation. Every year, January 20th is celebrated as Venders' day and programmes creating awareness of their rights is discussed. There have been requests to the Government to bring the street vendors under Yashaswini scheme. The Government has assured the same, but no official communication has been made till now. Table no 17 reveals that out of 120 respondents interviewed 40% are aware of street vendors association where as 60% respondents are not aware about the existence of street vendors association. Only 31.67% have taken the membership

in the street vendors association, and others are yet to take membership and many respondents say that they intend to take membership. While interviewing respondents said that they need special schemes from the government to improve their standard of living or economic status.

Table 13: Street Vendors Association

	Awareness		**Membership**	
	Number	**Percentage**	**Number**	**Percentage**
Yes	48	40.0	38	31.67
No	72	60.0	82	68.33
Total	**120**	**100.0**	**120**	**100.0**

Source: Primary Survey

Vices of Street Vendors

Table 18 shows the habits of the street vendors. Among the respondents 43.33 percent of the respondents have the habit of both smoking and drinking and 11.67 percent of the respondents have the habit of smoking alone. While 15 percent of the respondents have the habit of chewing 'Pan' in the absence of 'Gutka' as the same has been banned by the Central Government and 2.50 percent of the respondents have other bad habits like gambling playing cards etc. Surprisingly, data reveals that only 27.50 percent of the respondents have no bad

habits. Among this most of them are female street vendors. It is unfortunate to know that 62.50 percent of the respondents are addicted to one or other bad habits and this has become one of the major reasons for their low standard of living and impoverishment. Since, some of them spend their income to unnecessary expenditure on smoking, drinking, pan and gambling they feel that they are not getting enough income to support their family. It is the need of the hour to create awareness about the adverse impact of these vices of the street vendors. And regular counseling will definitely bring the changes in their attitude. If the street vendors get rid of these bad habits, they can not only improve their health besides their betterment in the economic status.

Table 14: Vices of Street Vendors

Vices	**Number**	**Percentage**
Smoking/Drinking	52	43.33
Smoking	14	11.67
Pan	18	15.00
Other	3	2.50
No habit	33	27.50
Total	**120**	**100.0**

Source: Primary Survey

Performance of MCC

Data reveals that 23.33 percent of the respondents opine that performance of Mysore City Corporation is good where as 43.33 percent say it is better and 28.33 percent say the performance is not good enough. Mysore City Corporation is doing good work over the years like issuing street vendors license, asking street vendors to keep clean environment around their stalls. Issuing guidelines especially to food vendors about cleanliness etc. However, data reveals that only 42 out of 120 members interviewed have trade license and others have not received any license from the Mysore City Corporation.

Table 15: Performance of MCC

	Number	**Percentage**
Very good	6	5.00
Good	28	23.33
Better	52	43.33
No good	34	28.33
Total	120	100.0

Source: Primary Survey

CONCLUDING SUGGESTIONS:

Based on the findings of the study, the following policy measures can be suggested for improving the economic condition of street vendors and thereby bring them on mainstream development.

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APPENDIX
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 5*th March*, 2014/*Phalguna* 14, 1935 *(Saka)*

The following Act of Parliament received the assent of the President on the 4th March, 2014, and is hereby published for general information:—

THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014 (NO. 7 OF 2014)

[4*th March*, 2014.] An Act to protect the rights of urban street vendors and to regulate street vending activities and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1.

(1) This Act may be called the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

(2) It extends to the whole of India except the State of Jammu and

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

(4) The provisions of this Act shall not apply to any land, premises and trains owned and controlled by the Railways under the Railway Act, 1989.

Definitions.

2.

(1) In this Act, unless the context otherwise requires,—

a. "appropriate Government" means in respect of matters relating to,—

i. a Union territory without Legislature, the Central Government;

ii. the Union territories with Legislature, the Government of the National Capital Territory of Delhi

or, as the case may be, the Government of Union territory of Puducherry;

iii. a State, the State Government;

b. “holding capacity” means the maximum number of street vendors who can be accommodated in any Vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;

c. “local authority” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or the Cantonment Board, or as the case may be, a civil area committee appointed under section 47 of the Cantonment Act, 2006 or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending and includes the “planning authority” which regulates the land use in that city or town;

d. “mobile vendors” means street vendors who carry out vending activities in designated area by Moving from one place to another place vending their goods and services;

e. “natural market” means a market where sellers and buyers have traditionally congregated for the sale And purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;

f. “notification” means a notification published in the Official Gazette and the term “notify” shall be Construed accordingly;

g. “Planning authority” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the

master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Town and Country Planning Act or the Urban Development Act or the Municipal Act, as the case may be;

h. "Prescribed" means prescribed by rules made under this Act by the Appropriate Government;

i. "Schedule" means the Schedule annexed to this Act;

j. "Scheme" means a scheme framed by the appropriate Government under Section 38;

k. "Stationary vendors" mean street vendors who carry out vending activities on regular basis at a specific location;

l. "Street vendor" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;

m. "Town Vending Committee" means the body constituted by the appropriate Government under section 22;

n. "Vending zone" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and

includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending activities and providing services to the general public.

(2) Any reference in this Act to any enactment or any provision thereof, shall, in relation to an area in which such enactment or such provision is not in force be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II REGULATION OF STREET VENDING

3.

(1) The Town Vending Committee shall, within such period and in such manner as may be specified in the scheme, conduct a survey of all existing street vendors, within the area under its jurisdiction, and subsequent survey shall be carried out at least once in every five years.

(2) The Town Vending Committee shall ensure that all existing street vendors, identified in the survey, are accommodated in the vending zones subject to a norm conforming to two and half per cent. of the population of the ward or zone or town or city, as the case may be, in accordance with the plan for street vending and the holding capacity of the vending zones.

(3) No street vendor shall be evicted or, as the case may be, relocated till the survey specified under subsection (*1*) has been completed and the certificate of vending is issued to all street vendors.

4.

(1) Every street vendor, identified under the survey carried out under sub-section (*1*) of section 3, who has completed the age of fourteen years or such age as may be prescribed by the appropriate Government, shall be issued a certificate of vending by the Town Vending Committee, subject to such terms and conditions and within the period specified in the scheme including the restrictions specified in the plan for street vending: Provided that a person, whether or not included under the survey under sub-section (*1*) of section 3, who has been issued a certificate of vending before the commencement of this Act, whether known as licence or any other form of permission (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending.

(2) Where, in the intervening period between two surveys, any person seeks to vend, the Town Vending Committee may grant a certificate of vending to such person, subject to the scheme, the plan for street vending and the holding capacity of the vending zones.

(3) Where the number of street vendors identified under sub-section (*1*) or the number of persons seeking
to vend under sub-section (*2*) are more than the holding capacity of the vending zone and exceeds the number of persons to be accommodated in that vending zone, the Town Vending Committee shall carry out a draw of lots for issuing the certificate of vending for that vending zone and the remaining persons shall be accommodated in any adjoining vending zone to avoid relocation.

5.

(1) Every street vendor shall give an undertaking to the Town Vending Committee prior to the issue of a certificate of vending under section 4, that—

(a) He shall carry on the business of street vending himself or through any of his family member; (b) He has no other means of livelihood:

(c) He shall not transfer in any manner whatsoever, including rent, the certificate of vending or the place specified therein to any other person.

(2) Where a street vendor to whom a certificate of vending is issued dies or suffers from any permanent disability or is ill, one of his family member in following order of priority, may vend in his place, till the validity of the certificate of vending—

(a) Spouse of the street vendor;

(b) Dependent child of the street vendor:

Provided that where a dispute arises as to who is entitled to vend in the place of the vendor, the matter shall be decided by the committee under section 20.

6.

(1) The certificate of vending shall be issued under any of the following categories, namely:— (a) a stationary vendor;

(b) a mobile vendor; or

(c) Any other category as may be specified in the scheme.

(2) The certificate of vending issued for the categories specified in sub-section (*1*) shall be in such form, and issued in such manner, as may be specified in the scheme and specify the vending zone where the street vendor shall carry on his vending activities, the days and timings for

carrying on such vending activities and the conditions and restrictions subject to which he shall carry on such vending activities.

(3) Every street vendor who has been issued certificate of vending under sub-section (*1*) shall be issued identity cards in such form and manner as may be specified in the scheme.

7. The criteria to be followed by the Town Vending Committee for issuing certificate of vending to a street vendor shall be as specified in the scheme, which may, apart from other things, provide for preference to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities or such other categories as may be specified in the scheme.

8. Every street vendor who has been issued certificate of vending shall pay such vending fees as may be specified in the scheme.

9.

(1) Every certificate of vending shall be valid for such period as may be specified in the scheme.

(2) Every certificate of vending shall be renewable for such period, in such manner, and on payment of such fees, as may be specified in the scheme.

10. Where a street vendor who has been issued a certificate of vending under this Act commits breach of any of the conditions thereof or any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made there under, or where the Town Vending Committee is satisfied that such certificate of vending has been secured by the street vendor through

misrepresentation or fraud, the Town Vending Committee may, without prejudice to any other fine which may have been incurred by the street vendor under this Act, cancel the certificate of vending or suspend the same in such manner as may be specified in the scheme and for such period as it deems fit: Provided that no such cancellation or suspension shall be made by the Town Vending Committee unless an opportunity of hearing has been given to the street vendor.

11.

(1) Any person who is aggrieved by any decision of the Town Vending Committee with respect to issue of certificate of vending under section 6 or cancellation or suspension of certificate of vending under section 10 may prefer an appeal to the local authority in such form, within such period, and in such manner, as may be prescribed.

(2) No appeal shall be disposed of by the local authority unless the appellant has been given an opportunity of hearing.

CHAPTER III
RIGHTS AND OBLIGATIONS OF STREET VENDORS

12.

(1) Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending.

(2) Notwithstanding anything contained in sub-section (*1*), where any area or space, as the case may be, has been

earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.

13. Every street vendor, who possesses a certificate of vending, shall, in case of his relocation under section 18, be entitled for new site or area, as the case may be, for carrying out his vending activities as may be determined by the local authority, in consultation with the Town Vending Committee.

14. Where a street vendor occupies space on a time sharing basis, he shall remove his goods and wares every day at the end of the time-sharing period allowed to him.

15. Every street vendor shall maintain cleanliness and public hygiene in the vending zones and the adjoining areas.

16. Every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction to the same.

17. Every street vendor shall pay such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the local authority.

CHAPTER IV
RELOCATION AND EVICTION OF STREET VENDORS

18.

(1) The local authority may, on the recommendations of the Town Vending Committee, declare a zone or part of it to be a no-vending zone for any public purpose and relocate the street vendors vending in that area, in such manner as may be specified in the scheme.

(2) The local authority shall evict such street vendor whose certificate of vending has been cancelled under section 10 or who does not have a certificate of vending and vends without such certificate, in such manner as may be specified in the scheme.

(3) No street vendor shall be relocated or evicted by the local authority from the place specified in the certificate of vending unless he has been given thirty days' notice for the same in such manner as may be specified in the scheme.

(4) A street vendor shall be relocated or evicted by the local authority physically in such manner as may be specified in the scheme only after he had failed to vacate the place specified in the certificate of vending, after the expiry of the period specified in the notice.

(5) Every street vendor who fails to relocate or vacate the place specified in the certificate of vending, after the expiry of the period specified in the notice, shall be liable to pay for every day of such default, a penalty which may extend up to two hundred and fifty rupees, as may be determined by the local authority, but shall not be more than the value of goods seized.

19.

(1) If the street vendor fails to vacate the place specified in the certificate of vending, after the lapse of the period specified in the notice given under sub-section (*3*) of section 18, the local authority, in addition to evicting the street vendor under section 18, may, if it deems necessary, seize the goods of such street vendor in such manner as may be specified in the scheme:

(2) Provided that where any such seizure is carried out, a list of goods seized shall be prepared, as specified in the scheme, and a copy thereof, duly signed by the person authorized to seize the goods, shall be issued to the street vendor.

(3) The street vendor whose goods have been seized under sub-section (*1*) may, reclaim his goods in such manner, and after paying such fees, as may be specified in the scheme: Provided that in case of nonperishable goods, the local authority shall release the goods within two working days of the claim being made by the street vendor, and in case of perishable goods the local authority shall release the goods on the same day of the claim being made by the street vendor.

CHAPTER V DISPUTE REDRESSAL MECHANISM

20.

(1) The appropriate Government may constitute one or more committees consisting of a Chairperson who has been a civil judge or a judicial magistrate and two other professionals having such experience as may be prescribed for the purpose of deciding the applications received under sub-section (*2*): Provided that no employee of the appropriate Government or the local authority shall be appointed as members of the committee.

(2) Every street vendor who has a grievance or dispute may make an application in writing to the committee constituted under sub-section (*1*) in such form and manner as may be prescribed.

(3) On receipt of grievance or dispute under sub-section (*2*), the committee referred to in sub- section (*1*) shall, after

verification and enquiry in such manner, as may be prescribed, take steps for redressal of such grievance or resolution of such dispute, within such time and in such manner as may be prescribed.

(4) Any person who is aggrieved by the decision of the committee may prefer an appeal to the local authority in such form, within such time and in such manner as may be prescribed.

(5) The local authority shall dispose of the appeal received under sub-section (*4*) within such time and in such manner as may be prescribed: Provided that the local authority shall, before disposing of the appeal, give an opportunity of being heard to the aggrieved person.

CHAPTER VI
PLAN FOR STREET VENDING

21.

(1) Every local authority shall, in consultation with the planning authority and on the recommendations of the Town Vending Committee, once in every five years, prepare a plan to promote the vocation of street vendors covering the matters contained in the First Schedule.

(2) The plan for street vending prepared by the local authority shall be submitted to the appropriate Government for approval and that Government shall, before notifying the plan, determine the norms applicable to the street vendors.

CHAPTER VII
TOWN VENDING COMMITTEE

22.

(1) The appropriate Government may, by rules made in this behalf, provide for the term and the manner of constituting a Town Vending Committee in each local authority: Provided that the appropriate Government may, if considers necessary, provide for constitution of more than one Town Vending Committee, or a Town Vending Committee for each zone or ward, in each local authority.

(2) Each Town Vending Committee shall consist of:—

(a) Municipal Commissioner or Chief Executive Officer, as the case may be, who shall be the Chairperson; and

(b) such number of other members as may be prescribed, to be nominated by the appropriate Government, representing the local authority, medical officer of the local authority, the planning authority, traffic police, police, association of street vendors, market associations, traders associations, non- governmental organizations, community based organizations, resident welfare associations, banks and such other interests as it deems proper

(c) the number of members nominated to represent the non-governmental organizations and the community based organizations shall not be less than ten per cent.

(d) The number of members representing the street vendors shall not be less than forty per cent.

Who shall be elected by the street vendors themselves in such manner as may be prescribed: Provided that one-third of members representing the street vendors

shall be from amongst women vendors: Provided further that due representation shall be given to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities from amongst the members representing street vendors.

(e) The Chairperson and the members nominated under sub-section (*2*) shall receive such allowances as may be prescribed by the appropriate Government.

23.

(1) The Town Vending Committee shall meet at such times and places within the jurisdiction of the local authority and shall observe such rules of procedure in regard to the transaction of business at its meetings, and discharge such functions, as may be prescribed.

(2) Every decision of the Town Vending Committee shall be notified along with the reasons for taking such decision.

24.

(1) The Town Vending Committee may associate with itself in such manner and for such purposes, as may be prescribed, any person whose assistance or advice it may desire, in carrying out any of the provisions of this Act.

(2) A person associated under sub-section (*1*) shall be paid such allowances as may be prescribed.

25. The local authority shall provide the Town Vending Committee with appropriate office space and such employees as may be prescribed.

26.

(1) Every Town Vending Committee shall publish the street vendor's charter specifying therein the time within which the certificate of vending shall be issued to a street vendor and the time within which such certificate of vending shall be renewed and other activities to be performed within the time limit specified therein.

(2) Every Town Vending Committee shall maintain up to date records of registered street vendors and street vendors to whom certificate of vending has been issued containing name of such street vendor, stall allotted to him, nature of business carried out by him, category of street vending and such other particulars which may be relevant to the street vendors, in such manner as may be prescribed.

(3) Every Town Vending Committee shall carry out social audit of its activities under the Act or the rules or the schemes made there under in such form and manner as may be specified in the scheme.

CHAPTER VIII
PREVENTION OF HARASSMENT OF STREET VENDORS

27. Notwithstanding anything contained in any other law for the time being in force, no street vendor who carries on the street vending activities in accordance with the terms and conditions of his certificate of vending shall be prevented from exercising such rights by any person or police or any

other authority exercising powers under any other law for the time being in force.

CHAPTER IX PENAL PROVISIONS

28. If any street vendor—

(a) indulges in vending activities without a certificate of vending;

(b) Contravenes the terms of certificate of vending; or

(c) Contravenes any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made there under, he shall be liable to a penalty for each such offence which may extend up to rupees two thousand as may be determined by the local authority.

CHAPTER X MISCELLANEOUS

29.

(1) Nothing contained in this Act shall be construed as conferring upon a street vendor any temporary, permanent or perpetual right of carrying out vending activities in the vending zones allotted to him or in respect of any place on which he carries on such vending activity.

(2) Nothing contained in sub-section (*1*) shall apply to any stationery vendor, if a temporary leasehold or ownership right has been conferred on him by a lease deed or otherwise, in respect of a place at specific location where he carries on such vending activity in accordance with the provisions of any law for the time being in force for carrying out such vending activity.

30. Every Town Vending Committee shall furnish, from time to time, to the appropriate Government and the local authority such returns as may be prescribed.

31. The appropriate Government may, in consultation with the Town Vending Committee, local authority, planning authority and street vendors associations or unions, undertake promotional measures of making available credit, insurance and other welfare schemes of social security for the street vendors.

32. The appropriate Government may, to the extent of availability of financial and other resources,—

(a) Organise capacity building programmes to enable the street vendors to exercise the rights contemplated under this Act;

(b) Undertake research, education and training programmes to advance knowledge and understanding of the role of the informal sector in the economy, in general and the street vendors, in particular and to raise awareness among the public through Town Vending Committee.

33. The provisions of this Act shall have effect notwithstanding anything inconsistent therein contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

34. The appropriate Government may, by general or special order in writing, delegate such of its powers and functions under this Act (excluding the power to frame scheme under section 38 and power to make rules under section 36), as it may deem necessary, to the local authority or the Town

Vending Committee or any other officer, subject to such conditions, if any, as may be specified in that order.

35.

(1) On the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend the Schedules and thereupon the First Schedule or the Second Schedule, as the case may be, shall be deemed to have been amended accordingly.

(2) A copy of every notification issued under sub-section (*1*), shall be laid before each House of Parliament as soon as may be after it is issued.

36.

(1) The appropriate Government shall, within one year from the date of commencement of this Act, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) The age for street vending under sub-section (*1*) of section 4;

(b) The form, period and manner of filing appeal with the local authority under sub-section (*1*) of section 11;

(c) The persons and the experience such person shall have under sub-section (*1*) of section 20;

(d) The form and the manner of making application under sub-section (*2*) of section 20;

(e) The manner of verification and enquiry on receipt of grievance or dispute, the time within which and the manner in which steps for redressal of grievances and

resolution of disputes may be taken under sub-section (*3*) of section 20

(f) The form, the time within which and the manner in which an appeal may be filed under sub- section (*4*) of section 20

(g) The time within which and the manner in which an appeal shall be disposed of under sub- section (*5*) of section 20;

(h) The term of, and the manner of constituting, the Town Vending Committee under sub-section of section 22

(i) The number of other members of the Town Vending Committee under clause (*b*) of sub-section of section 22;

(j) The manner of elections among street vendors under clause (*d*) of sub-section (*2*) of section 22;

(k) the allowances to Chairperson and members under sub-section (*3*) of section 22;

(l) The time and place for meeting, procedure for transaction of business at meetings and functions to be discharged by the Town Vending Committee under section 23;

(m) The manner and the purpose for which a person may be associated under sub-section (*1*) of section 24;

(n) The allowances to be paid to an associated person under sub-section (*2*) of section 24;

(o) The other employees of Town Vending Committee under section 25;

(p) The manner of maintaining up to date record of all street vendors under sub-section (*2*) of section

26;

(q) The returns to be furnished under section 30;

(r) The manner of publishing summary of scheme under sub-section (*2*) of section 38.

(3) Every rule and scheme made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or scheme or both Houses agree that the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

(4) Every rule or scheme made by the State Government under this Act shall, as soon as may be after it is made, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

37. Subject to the provisions of this Act or any rule or scheme made there under, the local authority may make bye-laws to provide for all or any of the following matters, namely:—

(a) The regulation and manner of vending in restriction-free-vending zones, restricted-vending zones and designated vending zones;

(b) Determination of monthly maintenance charges for the civic amenities and facilities in the vending zones under section 17;

(c) Determination of penalty under sub-section (5) of section 18 and section 28;

(d) The regulation of the collection of taxes and fees in the vending zones;

(e) The regulation of traffic in the vending zones;

(f) The regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

(g) the regulation of civic services in the vending zones; and

(h) the regulation of such other matters in the vending zones as may be necessary.

38.

(1) For the purposes of this Act, the appropriate Government shall frame a scheme, within six months from the date of commencement of this Act, after due consultations with the local authority and the Town Vending Committee, by notification, which may specify all or any of the matters provided in the Second Schedule.

(2) A summary of the scheme notified by the appropriate Government under subsection

(3) shall be published by the local authority in at least two local newspapers in such manner as may be prescribed.

SEC. 1] THE GAZETTE OF INDIA EXTRAORDINARY

39.

(1) if any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:
Provided that no order shall be made under this section after expiry of three years from The commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

THE GAZETTE OF INDIA EXTRAORDINARY [PART II—
THE FIRST SCHEDULE

(*See* section 21)

PLAN FOR STREET VENDING

(1) The plan for street vending shall,—

(a) Ensure that all existing street vendors identified in the survey, subject to a norm conforming to two and half percent. of the population of the ward, zone, town or city, as the case may be, are accommodated in the plan for street vending;

(b) ensure the right of commuters to move freely and use the roads without any impediment;

(c) ensure that the provision of space or area for street vending is reasonable and consistent with (d) existing natural markets;

(e) take into account the civic facilities for appropriate use of identified spaces or areas as vending zones: vending

(f) promote convenient, efficient and cost effective distribution of goods and provision of services; (g) such

other matters as may be specified in the scheme to give effect to the plan for street

(2) The plan for street vending shall contain all of the following matters, namely:—

(a) determination of spatial planning norms for street vending;

(b) earmarking of space or area for vending zones;

(c) determination of vending zones as restriction-free-vending zones, restricted vending zones and no vending zones;

(d) making of spatial plans conducive and adequate for the prevalent number of street vendors in that city or town and also for the future growth, by adopting such norms as may be necessary;

(e) Consequential changes needed in the existing master plan, development plan, zonal plan, layout plan and any other plan for accommodating street vendors in the designated vending zones.

(3) Declaration of no-vending zone shall be carried out by the plan for street vending, subject to the following principles, namely:—

(a) any existing market, or a natural market as identified under the survey shall not be declared as a no vending zone;

(b) declaration of no-vending zone shall be done in a manner which displaces the minimum percentage of street vendors;

(c) overcrowding of any place shall not be a basis for declaring any area as a no-vending zone provided that restrictions may be placed on issuing certificate of

vending in such areas to persons not identified as street vendors in the survey;

(d) Sanitary concerns shall not be the basis for declaring any area as a no-vending zone unless such concerns can be solely attributed to street vendors and cannot be resolved through appropriate civic action by the local authority;

(e) till such time as the survey has not been carried out and the plan for street vending has not been formulated, no zone shall be declared as a no-vending zone.

SEC. 1] THE GAZETTE OF INDIA EXTRAORDINARY 13 THE SECOND SCHEDULE

(*See* section 38)

Matters to be provided in the Scheme for Street Vendors framed by the appropriate Government:— (a) the manner of conducting survey;

(b) the period within which certificate of vending shall be issued to the street vendors identified under the survey;

(c) the terms and conditions subject to which certificate of vending may be issued to a street vendor including to those persons who wish to carry on street vending during the intervening period of two surveys;

(d) the form and the manner in which the certificate of vending may be issued to a street vendor;

(e) the form and manner of issuing identity cards to street vendors;

(f) the criteria for issuing certificate of vending to street vendors;

(g) the vending fees to be paid on the basis of category of street vending, which may be different for different cities;

(h) the manner of collecting, through banks, counters of local authority and counters of Town Vending Committee, vending fees, maintenance charges and penalties for registration, use of parking space for mobile stalls and availing of civic services;

(i) the period of validity of certificate of vending;

(j) the period for which and the manner in which a certificate of vending may be renewed and the fees for such renewal;

(k) the manner in which the certificate of vending may be suspended or cancelled;

(l) the categories of street vendors other than stationery vendors and mobile vendors;

(m) the other categories of persons for preference for issue of certificate of vending;

(n) the public purpose for which a street vendor may be relocated and the\ manner of relocating street vendor;

(o) the manner of evicting a street vendor;

(p) the manner of giving notice for eviction of a street vendor;

(q) the manner of evicting a street vendor physically on failure to evict;

(r) the manner of seizure of goods by the local authority, including preparation and issue of list of goods seized;

(s) the manner of reclaiming seized goods by the street vendor and the fees for the same;

(t) the form and the manner for carrying out social audit of the activities of Town Vending Committee; (u) the conditions under which private places may be designated as restriction free- vending zones, restricted-vending zones and no-vending zones;

(v) the terms and conditions for street vending including norms to be observed for up keeping public health and hygiene;

(w) the designation of State Nodal Officer for co-ordination of all matters relating to street vending at the state level;

(x) the manner of maintenance of proper records and other documents by the Town Vending

Committee, local authority, planning authority and State Nodal Officer in respect of street vendors;

(y) The manner of carrying out vending activities on time-sharing basis;

(z) The principles for determination of vending zones as restriction-free-vending zones, restricted- vending zones and no-vending zones;

(*za*) the principles for determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey;

(*zb*) principles of relocation subject to the following:—

(i) relocation should be avoided as far as possible, unless there is clear and urgent need for the land in question;

(ii) affected vendors or their representatives shall be involved in planning and implementation of the rehabilitation project;

(iii) affected vendors shall be relocated so as to improve their livelihoods and standards of living or at least to restore them, in real terms to pre-evicted levels;

(iv) livelihood opportunities created by new infrastructure development projects shall accommodate the displaced vendors so that they can

make use of the livelihood opportunities created by the new infrastructure;

(v) loss of assets shall be avoided and in case of any loss, it shall be compensated;

(vi) any transfer of title or other interest in land shall not affect the rights of street vendors on such land, and any relocation consequent upon such a transfer shall be done in accordance with the provisions of this Act;

(vii) state machinery shall take comprehensive measures to check and control the practice of forced evictions;

(viii) natural markets where street vendors have conducted business for over fifty years shall be declared as heritage markets, and the street vendors in such markets shall not be relocated;

(*zc*) any other matter which may be included in the scheme for carrying out thepurposes of this Act.

P.K. MALHOTRA,
Secy. to the Govt. of India

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